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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHEN, TSE W

ART UNIT PAPER NUMBER

2116

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,326

Applicant(s)

KEDIA ET AL.

Examiner

Tse Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of the appeal brief filed on August 21, 2006, PROSECUTION IS HEREBY REOPENED. New ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31. A new notice of appeal fee and appeal brief fee will not be required for applicant to appeal from the new Office action. Any appeal brief filed on or after September 13, 2004 must comply with 37 CFR 41.37.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “activating a low power subsystem when the CPU enters the low power mode” and “independent of the CPU, using the low power processor of the low power subsystem to access data contained within the computer system memory” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing

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should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 32 is objected to because of the following informalities: “the shared database” should be “a shared database”. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 29, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umina et al., US Patent 5287485, hereinafter Umina, in view of Barber et al., US Patent 6240521, hereinafter Barber.

5. In re claim 29, Umina discloses a method comprising [fig.2; col.4, ll. 14-20]:

- A computer system having a CPU [202] and a memory [204].

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- A [low power] subsystem including a [low power] processor [206] and a [low power] memory [208].

6. Umina did not disclose low power operations associated with the dual processors configuration with separate memories.

7. Barber discloses a method comprising:

- Transitioning a central processing unit (CPU) [high speed processor 42] of a computer system [40] into a low power mode [sleep] [col.4, ll.4-12], the computer system having a memory [RAM, DISK, fig.2] [col.3, ll.36-52].
- Activating a low power subsystem [44 with associated components] when the CPU enters the low power mode, the low-power subsystem including a low power processor [44] and an external interface [48] [col.4, ll.13-22].
- Independent of the CPU, using the low power processor of the low power subsystem to access data [contents of memory associated with process state] within the computer system memory [col.2, ll.13-19; col.3, ll.36-52; col.4, ll.13-22; 44 accesses data such as word processing from computer system memory while 42 is in sleep mode inactive].
- Providing the accessed data [e.g., word processing] through the external interface of the low-power subsystem [col.2, ll.13-19; word processing requires user interaction via well known monitor and keyboard conventionally through 48].

8. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber and Umina before him at the time the invention was made, to modify the system taught by Umina to include the low power operations taught by Barber, as both are involved with dual processors. One of ordinary skill in the art would have been motivated to make such a

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combination as it provides a way to conserve power and integrate processors with different capabilities [Barber: col.2, ll.13-29].

9. As to claim 31, Barber discloses, wherein accessing data contained within the computer system memory comprises accessing data contained within a disk drive unit [DISK] [col.3, ll.40-45].

10. As to claim 32, Barber discloses, wherein the data contained in the shared database includes multimedia data [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active].

11. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Umina and Barber as applied to claims 29, 38 and 51 above, and further in view of Kabelshkov, US Patent 6108663.

12. Umina and Barber taught each and every limitation as discussed above in reference to claims 29, 38 and 51. Umina and Barber did not discuss the details of accessing data.

13. In re claim 30, Kabelshkov discloses a method wherein accessing data comprises accessing data through a shared database [relational database of 31] of a low power subsystem [30], the method further comprising storing at least a partial copy of data accessed from a computer system [10] memory [34] in the shared database [col.4, ll.36-61].

14. It would have been obvious to one of ordinary skill in the art, having the teachings of Kabelshkov, Umina and Barber before him at the time the invention was made, to incorporate the teachings of Kabelshkov as the shared database taught by Kabelshkov is well known to be suitable for use in the system of Umina and Barber. One of ordinary skill in the art would have

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been motivated to make such a combination as it provides an efficient way to access data [Kabelshkov: col.4, ll.50-56].

15. Claims 33-34, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umina and Barber as applied to claim 29 above, and further in view of Ditzik, US Patent 5983073.

16. Umina and Barber disclose each and every limitation as discussed above. Barber did not disclose explicitly the presentation medium or the accessing of data from a network or a wireless interface.

17. In re claim 33, Ditzik discloses, comprising accessing data from a network [external wide area communications network] via the external interface of the [low-power] subsystem [14] [col.5, ll.52-59].

18. In re claim 34, Ditzik discloses, wherein accessing data from the network comprises accessing data from the network using a wireless interface [e.g., cdma] [col.5, ll.52-59; col.8, ll.4-58].

19. In re claim 36, Ditzik discloses, wherein providing the accessed data through the external interface comprises presenting the data accessed to a user via a display [fig.3c] of the external interface of the low power subsystem [col.13, ll.24-30; display graphics].

20. In re claim 37, Ditzik discloses, wherein providing the accessed data through the external interface comprises presenting the data accessed to a user via an audio medium [14a] of the [low-power] subsystem [14] [col.8, ll.4-58].

21. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik, Umina and Barber before him at the time the invention was made, to modify the low-

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power subsystem taught by Barber to include the teachings of Ditzik, as the network access and wireless interface taught by Ditzik is well known to be suitable for use in the system/subsystem of Umina and Barber. One of ordinary skill in the art would have been motivated to make such a combination as it provides very well known ways to access/present data and extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

22. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik, Umina and Barber as applied to claims 33 above, and further in view of Chen et al., U.S. Patent 5590197, hereinafter Chen.

23. Ditzik, Umina and Barber disclose every limitation as discussed above in reference to claim 33. Ditzik, Umina and Barber did not disclose explicitly the network being an electronic store.

24. Chen discloses a network [fig.1] as an electronic store [merchant processor] allowing an electronic purchase [col.4, ll.46-50].

25. It would have been obvious to one of ordinary skill in the art, having the teachings of Chen, Ditzik, Umina and Barber before him at the time the invention was made, to modify the system as taught by Ditzik, Umina and Barber to include the network as taught by Chen, in order to obtain an electronic store allowing an electronic purchase. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

26. Claims 38, 43, 45-51, 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik, US Patent 5983073, in view of Kim, US Patent 6044473.

27. In re claim 38, Ditzik discloses an apparatus [fig.3] comprising:

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28. A computer system [100] having a central processing unit [38], a system memory [40], a mass storage device [42], and a user interface [e.g., 9], the computer system having a power mode [80] [col.9, l.55 – col. 10, l.10; col.13, ll.1-30; wireless data communication mode 80 operates with closed configuration].

29. A low-power subsystem [14 operates with less power] in operation when the computer system enters the power mode [14 operates in wireless data communication mode 80 in closed configuration], the low power subsystem having a low power processor [inherently, some processor in the broadest interpretation is needed in order to process data communication], a low power subsystem memory [inherently, some memory is needed in order to perform data communication] and an external interface independent of the computer system [inherently, some external interface in the broadest interpretation is needed in order to receive wireless communication], the low power processor providing access to the computer system when the computer system is in the power mode [80 associated with closed configuration] and the external interface providing data accessed from the computer system externally [col.8, ll.4-64; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

30. Ditzik did not disclose explicitly that the power mode associated with closed configuration is a low-power mode.

31. Kim discloses a computer system [portable notebook computer] having a low-power mode [col.1, ll.23-41; low power consumption mode associated with closed configuration].

32. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik and Kim before him at the time the invention was made, to modify the computer system taught by Ditzik to include the very well known low-power mode taught by Kim, in order to

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obtain the claimed apparatus. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Kim: col.1, ll.23-41; col.2, l.66 – col.3, l.3; computer system transitions to low power mode to reduce power consumption when in closed configuration since computer system functions associated with display and keyboard can't be accessed by user].

33. As to claim 43, Ditzik discloses, wherein the low power subsystem external interface comprises a wireless interface [e.g., cdma] to connect with a local area network [col.5, ll.52-59; col.8, ll.4-58].

34. As to claim 45, Ditzik discloses, wherein the external interface of the low power subsystem comprises a wireless interface [e.g., cdma] to receive verbal instructions from a user interface [14c] [col.5, ll.52-59; col.8, ll.4-58].

35. As to claim 46, Ditzik discloses, wherein the user interface comprises an audio headset [earset unit 34] to receive audio data transmitted from the wireless interface [col.8, ll.4-58; 34 operates on cdma compatible with 14].

36. As to claim 47, Ditzik discloses, wherein the low-power subsystem [14] external interface comprises an interface [e.g., CDMA] to transmit data to a cellular phone [fig.7; col.5, ll.52-59; col.12, ll.50-67; 14 transmits data to other cellular phones operating in CDMA].

37. As to claim 48, Ditzik discloses, wherein the computer system comprises a main screen [4] and the low power subsystem comprises a miniature display screen [fig.3c] and wherein the low power subsystem including the miniature display screen is activated when the main screen is closed [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

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38. As to claim 49, Ditzik discloses, wherein the computer system comprises stored multimedia data, wherein the low power subsystem accesses the stored multimedia data and wherein the low power subsystem presents the multimedia data to a user through the external interface [fig.3c] [col.13, ll.24-30; e.g., display graphics on screen].

39. As to claim 50, Ditzik discloses, wherein the low power subsystem presents the multimedia data to the user over a miniature display screen [fig.3c] of the external interface [col.13, ll.24-30; display graphics on screen].

40. In re claim 51, Ditzik discloses a low-power subsystem [14 operates with less power; col.8, ll.4-58] comprising:

41. A miniature display screen [fig.3c].

42. A user input unit [14b].

43. A low power subsystem memory [col.8, ll.4-58; inherent to process data as data can't be stored in thin air].

44. A low power processor [inherent for data communication] coupled to the miniature display screen [to display data], the user input unit [to process input], and to the low power subsystem memory [to process data], the low power processor providing access for the miniature display screen and the user input unit to a connected [via wireless] computer system [100] when the connected computer system is in a power mode [14 operates in wireless data communication mode 80 in closed configuration] [col.8, ll.4-64; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

45. Ditzik did not disclose explicitly that the power mode associated with closed configuration is a low-power mode.

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46. Kim discloses a computer system [portable notebook computer] having a low-power mode [col.1, ll.23-41; low power consumption mode associated with closed configuration].

47. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik and Kim before him at the time the invention was made, to modify the computer system taught by Ditzik to include the very well known low-power mode taught by Kim, in order to obtain the claimed low power subsystem. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Kim: col.1, ll.23-41; col.2, l.66 – col.3, l.3; computer system transitions to low power mode to reduce power consumption when in closed configuration since computer system functions associated with display and keyboard can't be accessed by user].

48. As to claim 54, Ditzik discloses, comprising a wireless interface [e.g., cdma] to connect to an external network [external wide area communications network] [col.5, ll.52-59; col.8, ll.4-58].

49. As to claim 55, Ditzik discloses, comprising a wireless interface [e.g., cdma] to connect the user input unit [of network] and the low power processor [col.12, ll.50-67; col.13, ll.20-30; bi directional communication from units of the network to 14].

50. As to claim 56, Ditzik discloses, wherein the user input unit comprises a wireless user interface [e.g., cdma] to receive verbal commands from a user [via 14c] [col.5, ll.52-59; col.8, ll.4-58].

51. Claims 39-42, 44, 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik and Kim as applied to claims 38 and 51 above, and further in view of Kableshkov, US Patent 6108663.

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52. Ditzik and Kim taught each and every limitation as discussed above in reference to claims 38 and 51. Ditzik and Kim did not discuss the details of accessing data.

53. In re claim 39, Kabelshkov discloses a shared database [relational database of 31] coupled to a computer system [10] and to a low-power subsystem [30] and wherein a low power processor [of 30] accesses the computer system through the shared database [col.4, ll.36-61].

54. In re claim 52, Kabelshkov discloses, a processor [of 30] provides access to the computer system [10] through a shared database [relational database of 31], the shared database being a part of a low power subsystem [fig.2; col.4, ll.36-61].

55. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik, Kim and Kabelshkov before him at the time the invention was made, to incorporate the teachings of Kabelshkov as the shared database taught by Kabelshkov is well known to be suitable for use in the system of Ditzik and Kim. One of ordinary skill in the art would have been motivated to make such a combination as it provides an efficient way to access data [Kabelshkov: col.4, ll.50-56].

56. As to claim 40, Ditzik discloses, wherein the computer system memory comprises a memory [40] coupled to the CPU, and wherein the computer system mass storage device comprises a disk drive unit [42] coupled to the CPU [fig.7]. Examiner hereby takes Official Notice that it is very well known in the art to have a RAM coupled to the CPU in order to read and write data during processing.

57. As to claim 41, Kabelshkov discloses wherein the shared database is coupled to the disk drive unit [fig.2], the shared database to store at least a partial copy of data stored on the disk drive unit [col.4, ll.36-61].

58. As to claim 42, Ditzik discloses, wherein the data contained in the shared database includes multimedia data [col.1, ll.8-17].

59. As to claim 44, Ditzik discloses, wherein the low power subsystem comprises a video display [fig.3c] to display data from a database [col.13, ll.24-30; display graphics].

60. As to claim 53, Kabelshkov discloses wherein the shared database is coupled to the computer system [fig.2] to store at least a partial copy of data stored in the computer system [col.4, ll.36-61].

Response to Arguments

61. Applicant's arguments filed August 21, 2006 have been fully considered but they are not persuasive.

62. Applicant argues that Ditzik “never discloses or suggest that any components (except perhaps for some radio components and the display) are less than fully-powered and operational all the time”, stipulating that Ditzik’s low power subsystem as cited is a “fully powered telephone 14” [pp.6-7]. In response, Examiner submits that Applicant’s disclosure offers no clear definition of what constitutes a low power subsystem in terms of the operational power level. Applicant’s disclosure offers not even any enabling means involving a low power subsystem that would be “less than fully-powered and operational all the time” without undue experimentation. Thus, Examiner is entitled to interpret the low power subsystem as one clearly disclosed by Ditzik that utilizes lower power [relative to computer].

63. Applicant argues that “activating a low power subsystem when the CPU enters the low power mode” is not disclosed in the references and suggests that the “only way to achieve such an operation is to switch a modified Ditzik computer 100 in Kim’s low power mode and to then

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turn on the telephone 14 at about the same time”, but then discounts the suggestion because there is no motivation. In response, Examiner submits that Applicant’s disclosure offers no enabling means at all of “activating a low power subsystem when the CPU enters the low power mode”, requiring one with ordinary skill in the art to perform undue experimentation to practice the claimed invention [i.e., devise an anticipation means that would activate the low power subsystem at about the same time the CPU enters the low power mode]. Furthermore, Examiner believes there is motivation to conserve power when one closes the notebook computer [i.e., low power mode] and switches on the cellular telephone to make/answer a call.

Conclusion

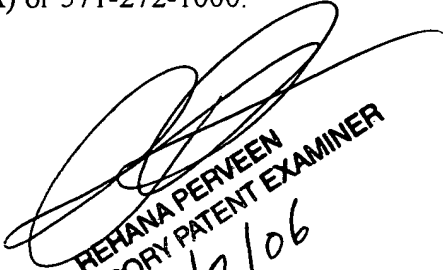
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tse Chen whose telephone number is (571) 272-3672. The examiner can normally be reached on Monday - Friday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tse Chen
September 26, 2006


HEHARA PERVEEN
SUPERVISORY PATENT EXAMINER
11/2/06